

PRODUCT: 483 cases, each containing 24 1-pound, 13-ounce cans, of peaches at South Boston, Mass.

LABEL, IN PART: "Isle O'Gold Sliced Elberta Freestone Yellow Peaches in Heavy Syrup * * * National Retailer-Owned Grocers, Inc. Distributors * * * Chicago, Ill."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the product was canned peaches, a food for which a definition and standard of identity had been prescribed by the regulations, and its label failed to bear, as required by the regulations, the name of the optional packing medium present, since the label bore the statement "in Heavy Syrup," whereas the article was packed in light sirup.

DISPOSITION: April 26, 1948. The G. W. Hume Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

13121. Misbranding of canned peaches. U. S. v. 154 Cases * * *. (F. D. C. No. 23442. Sample No. 54438-H.)

LIBEL FILED: September 4, 1947, Middle District of Georgia.

ALLEGED SHIPMENT: On or about July 17, 1947, by the Greenville Canning Co., from Greenville, S. C.

PRODUCT: 154 cases, each containing 24 cans, of peaches at Milledgeville, Ga.

LABEL, IN PART: "Mid Summer Brand Yellow Freestone Peaches Halves in Heavy Syrup. Contents 1 Lb. 14 Oz."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product was in package form and failed to bear a label containing an accurate statement of the quantity of the contents. (The cans contained less than the declared weight.)

Further misbranding, Section 403 (g) (2), the label failed to bear the name of the optional packing medium present in the article, since it was labeled "in Heavy Syrup," whereas it was packed in light sirup.

DISPOSITION: September 30, 1947. The Greenville Canning Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

13122. Misbranding of canned peaches. U. S. v. 61 Cases * * *. (F. D. C. No. 24393. Sample No. 33242-K.)

LIBEL FILED: March 18, 1948, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 10, 1948, by Parrott & Co., from Stockton, Calif.

PRODUCT: 61 cases, each containing 24 1-pound, 13-ounce cans, of peaches at Philadelphia, Pa.

LABEL, IN PART: "Norris Ole Fashion Yellow Elberta Freestone Peaches in Extra Heavy Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the product purported and was represented to be canned peaches, and its label failed to bear, as required by the definition and standard of identity, the name of the optional peach ingredient and the name of the optional packing medium used, since the label bore the statement "Yellow Freestone Peaches in Extra Heavy Syrup" and the cans contained yellow clingstone peaches in heavy sirup.

DISPOSITION: May 25, 1948. A. E. Turner & Co., Philadelphia, Pa., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

13123. Misbranding of canned peaches. U. S. v. 49 Cases * * *. (F. D. C. No. 23970. Sample No. 14710-K.)

LIBEL FILED: November 20, 1947, Northern District of Illinois.

ALLEGED SHIPMENT: On or about August 2, 1947, by Flotill Products, Inc., from Stockton, Calif.

PRODUCT: 49 cases, each containing 48 cans, of peaches at Chicago, Ill.